

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
v.) No. 3:13-CR-139
)
DIANE L. GREGORY)

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's third motion for a continuance of her trial date [doc. 17]. Defense counsel requests a sixty-day continuance in order to "complete the investigation into the facts and circumstances of this matter and . . . fully advise the Defendant of the best possible resolution for her case." Defense counsel reports that the defendant continues to face "certain mobility issues related to her health concerns" which impact trial preparation. According to the motion, the United States does not oppose the requested continuance.

The court finds that the ends of justice served by granting the defendant's motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by the defendant, the court finds that the failure to grant the motion would deny the defense reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The motion requires a delay in the proceedings. Therefore, all the time from the filing of the motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is hereby **ORDERED** that the defendant's motion [doc. 17] is **GRANTED**, and this criminal case is **CONTINUED** from June 17, 2014, to Tuesday, **August 12, 2014, at 9:00 a.m.** The new plea cutoff date is July 29, 2014.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan

United States District Judge